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of what are the substantial elements which he must prove in a particular action and how he may prove them. The arrangement is for this purpose good, and the book has evidently been carefully prepared. That the undertaking is intended to be exhaustive would appear from the fact that this the first volume only brings the subject down to Assault and Battery. *F. H. B.*

CRIME IN ITS RELATIONS TO SOCIAL PROGRESS. By ARTHUR CLEVELAND HALL, Ph. D., Fellow in Sociology, Columbia, 1894-95. Pp. xvii + 427. New York: The Columbia University Press. The Macmillan Company, Agents. 1902.

The author of this volume has produced a work which cannot fail to be of the greatest interest to all careful students of sociology. Those who have never had occasion to refer to the subject will doubtless be surprised to find that crime is apparently increasing fast. But the author brings out very clearly that this is due to the fact that with the advancement of civilization many acts which formerly were regarded as mere negligences are prohibited by the law-making power of the state and denominated crimes. So that while criminal acts as a whole are becoming more numerous, the number of commissions of any one offense may be decreasing. How the extension of the legislative inhibition in converting immoralities into positive crimes is improving the character of the social body is well demonstrated by the author. In spite of many references to statistics, the book is written in an interesting style. For an exhaustive and interesting discussion of the relation of crime to society the work is recommended. *F. W. S.*

THE TRIAL LAWYERS' ASSISTANT IN CRIMINAL CASES. By HENRY HARDWICKE. Pp. x + 308. Albany, N. Y.: Banks & Co. 1902.

"The chief object the author has had in view in writing the . . . work is that of giving, in a concise form, information which would prove serviceable to the trial lawyer." The book contains about three hundred and fifty subjects, gathered together from many sources, and considers them in proportion to their worth to the trial lawyer. Some are merely defined; others are dismissed with a mere reference to the New York Penal Code; and still others with fuller discussion and citation of authorities. There is an appendix of seventy-two pages, which contains a "Table of Contents of Sections of the New York Code of Criminal Procedure . . ." and sections of that code.

An examination of the first fifty subjects discussed shows that sixteen are almost wholly, if not entirely, based on references to

New York statutes and cases; so, all through the book, thus—"Animals" (page 3); "Cruelty to, N. Y. Pen. Code, § 655-659"; "Public Peace," page 145; "Religious Liberty and Conscience," page 158, etc. The book is, therefore, of little or no importance to lawyers other than those practicing in New York. Whether in its present shape it will be of value even in New York is doubtful. The arrangement of the book is bad. While the subjects are collected together under general alphabetical heads, farther than this the author has not gone. "Assault" on page 1 is followed in succession by the subjects, "Abduction," "Arson," "Animals," "Absence," etc. This fault pervades the whole book, thus: "Limitations" is considered before "Larceny"; "Public Peace" before "Pardon," and so on. The mistake is not remedied by an index. True, there is a "Table of Subjects" (page 299 *et seq.*), but the same arrangement exists even there. This is of course a criticism of mere mechanical details, the proper arrangement of which seems to have been overlooked.

Looking at the real substance of the book, there is some real worth therein contained, together with much that has no place in a volume of this nature. On page 72 we read: "Felon. One convicted and sentenced for felony"; on page 93, "*Idem Sonans*. Sounding the same"; on page 136, "Penitentiary. A prison for the punishment of convicts"; this and nothing more is said of the subjects thus treated. These, and several more like them, have no place in a book which purports to be of any practical assistance to a trial lawyer. On page 187, under the heading "Qualities of a Trial Lawyer," the author writes, "A good advocate should be, above all things, a good man." A busy lawyer has no time to use a book full of such statements. While every word of the sentence is true, a book of the practical character claimed for this, should be practical. Ethics and morals should be learned elsewhere. One goes to a dictionary for matters of orthography, pronunciation, definitions, etc., but not for essays on law or literature. *Pari ratione*, he goes to a trial lawyer's assistant for practical assistance, and not for the interpretation of words whose meaning is obvious, still less for lessons of morality. Lawyers gain nothing by the addition of this volume to the ever increasing number of legal publications.

B. H. L.

THE TRIAL LAWYER'S ASSISTANT IN CIVIL CASES. By HENRY HARDWICKE. Pp. xii + 789. Albany, N. Y.: Banks & Co. 1902.

Practically the same criticism applies to this book as to the author's "The Trial Lawyer's Assistant in Criminal Cases." The same reliance on New York statutes and cases, the same